

PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

El-Maleh, et al.

Serial No.: 10/622,661

Filed: July 17, 2003

For: METHOD AND APPARATUS FOR
INTEROPERABILITY BETWEEN
VOICE TRANSMISSION SYSTEMS
DURING SPEECH INACTIVITY

Group Art Unit: 2661

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION
UNDER 37 CFR §1.321(c)**

Assistant Commissioner of Patents
Washington, D. C. 20231

Attn: Examiner Kenneth N. Vanderpuye

Dear Sir:

I, Kyong H. Macek, am the attorney of record for this invention. The assignee, QUALCOMM Incorporated, is located at 5775 Morehouse Drive, San Diego, California 92121.

I hereby certify that this correspondence is being faxed
to the Assistant Commissioner of Patents, Washington,
D.C. 20231, on:

July 22, 2005

(Date of Deposit)

Ann Andrews

(Name of Person Making Deposit)

(Signature)

July 22, 2005

(Date of Signature)

07/26/2005 TL0111 00000020 170026 10622661

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EXTENT OF DISCLAIMANT'S INTEREST

The extent of the interest in this invention that the disclaimant owns is the whole of this invention.

RECORDAL OF ASSIGNMENT

The Assignment was recorded on March 8, 2004, Reel 015041 and Frame 0420.

DISCLAIMER

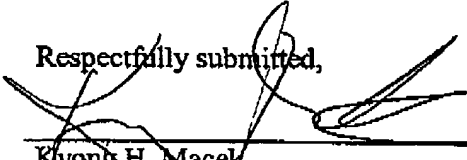
The terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of 6,631,139 the full statutory term defined in 35 U.S.C. §154-156 and 173 of United States Patent No. 6,631,139 is hereby disclaimed, except as provided below, and it is agreed that any patent so granted on the above-identified application shall be enforceable only for, and during, such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,631,139, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the above identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154-156 and 173 of United States Patent No. 6,631,139, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims canceled by a reexamination certificate, is reissued in any manner or are terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The Commissioner is hereby authorized to charge payment of the Terminal Disclaimer Fee of \$130.00 under 37 CFR § 1.20(d) and any additional fees which may be required, or credit any overpayment, to Deposit Account No. 17 - 0026. A duplicate of this sheet is enclosed for charge purposes.

Dated: July 22, 2005

Respectfully submitted,


Kiyong H. Macek
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